

FILED

DEC 07 2009

[Signature]
CLERK

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
Southern DIVISION

Joseph Paul Young

CIV 09-4180

Plaintiff,

vs. COMPLAINT
South Dakota Department of Corrections / A.W. Troy Ponto
of Corrections / Major Tomas Linnewebber
Defendant.

I. PREVIOUS LAWSUITS

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes () No (X)

- B. If your answer to "A" is yes, describe the lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiffs none

Defendants None

2. Court (if federal court, name the district; if state court, name the county)

none

3. Docket number none

4. Name of Judge to whom case was assigned None

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?) none

6. Approximate date of filing lawsuit None

7. Approximate date of disposition none

II. PLACE OF PRESENT CONFINEMENT South Dakota D.O.C.

A. Is there a prisoner grievance procedure in this institution? Yes (X) No ()

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? Yes (X) No ()

C. If your answer is yes,

1. What steps did you take? Asked for two remedies:
(A) transferred to a safe facility (B) \$500,000 for pain and suffering.

2. What was the result? (A) facility states I'd be transferred when appropriate.
(B) institution health services reports its a minor injury.

D. If your answer is no, explain why not none

~~E.~~ If there is no prison grievance procedure in the in the institution, did you complain to prison authorities? Yes () No (X)

~~F.~~ If you answer is yes,

1. What steps did you take? None

2. What was the result? None

III. PARTIES

In item A below, place your name in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

A. Name of Plaintiff ~~Joseph Paul Young~~ Joseph Paul Young
Address P.O. Box 5911 Sioux Falls, South Dakota 57117

In item B below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item C for the names, positions, and places of employment of any additional defendants.

B. Name of Defendant South Dakota D.O.C. who is employed as
South Dakota D.O.C. at P.O. Box 5911 Sioux Falls, S.D. 57117

C. Additional Defendants ~~XXXX~~ Assistant Warden Troy Ponto and Major Tomas Linnewebber. Both employed at S.D. D.O.C. Jameson unit P.O. Box 5911 Sioux Falls, S.D. 57117.

IV. STATE OF CLAIM

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates, and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheet(s) if necessary.

On 9-6-09 I exited the shower area to enter my cell. A large wet area was in place. And unidentified. As no warning, notifications, or wet floor signs to warn of this area. I lost footing splitting my head. ~~Resulting~~ Resulting in unbearable dizziness, short of breath, and severe headaches.

The institutions failure to follow safety policies has resulted in severe life long injury. (wet floor signs) surveillance video will confirm the D.O.C.s non-care.

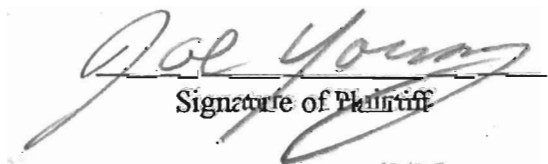
V. RELIEF

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

The responsibility of the South Dakota D.O.C. to assist in any medical cost. To determine the reason for this pain I'm experiencing. And assist in any future cost. And \$500,000 for pain and suffering.

I declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Signed and executed this 2nd day of November, 2009


Signature of Plaintiff

(9/96)